

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2000-580

January 10, 2001

CENTRAL MAINE POWER COMPANY
Request for Approval of Amended and
Restated Special Rate Contract with
Carrier Chipping, Inc.

ORDER

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

SUMMARY OF DECISION

By this Order, we grant final approval of an Amended and Restated Customer Service Agreement (CSA) between Central Maine Power Company (CMP) and Carrier Chipping, Inc. (Carrier) through December, 2000. We also grant final approval of the Second Amendment to that CSA.

DISCUSSION AND DECISION

On July 5, 2000, CMP filed with this Commission a proposed Amended and Restated CSA with Carrier. The CSA provides for electricity delivery-only service, replacing the terms of the previous CSA for bundled service and included pricing through May, 2000. On July 7, 2000, this CSA was granted temporary approval by the Acting Director of Technical Analysis.¹ On October 13, 2000, CMP filed with this Commission a proposed Second Amendment to its CSA with Carrier. This Second Amendment to the CSA supercedes a First Amendment that provided unbundled pricing through August (granted temporary approval by Order of the Acting Director of Technical Analysis dated July 12, 2000). The Orders granting temporary approval made no finding as to the reasonableness of the Amended and Restated CSA or the Amendments and indicated that such a determinations would be made after a more thorough review of their terms.

We have since conducted such a review of the contract terms. Based on our review, we have determined that for the period that generation prices, and consequently T&D prices, are known (through December, 2000) the Amended and Restated CSA and

¹ In Docket No. 2000-164, the Commission delegated its authority under 35-A, M.R.S.A. § 107(4) to the Director (or Acting Director) of the Division of Technical Analysis to grant temporary approval of contracts modified to allow for transmission and distribution-only service.

the Second Amendment are reasonable and comply with 35-A M.R.S.A. § 3204(10).² As noted in the contract, however, pricing after December, 2000 has not yet been determined. Therefore, we grant final approval of the Amended and Restated CSA and the Second Amendment to the CSA pursuant to 35-A M.R.S.A. § 703(3-A) only for the period through December, 2000. The terms to be in effect subsequent to that date will require separate review and approval by this Commission once they have been determined.

Dated at Augusta, Maine, this 10th day of January, 2001.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR:

Welch
Nugent
Diamond

² Pursuant to the terms of the temporary approvals, this final approval is applicable to the going-forward period of the contract only. Therefore, because the First Amendment has already expired, there is no need to grant final approval of it.

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Civil Procedure, Rule 73, et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.